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PATENT, TRADEMARK, COPYRIGHT, LICENSING  
AND RELATED INTELLECTUAL PROPERTY LAW MATTERS

CONFIDENTIAL & PRIVILEGED INFORMATION \*  
FAX COVER SHEET

DATE: December 21, 2004

FAX TO: PTO

FAX NO.: 1-703-872-9306

RE: USPN 10/751,075 - Thomas V. Ward, Jr., et al.

FAX FROM: Charles F. Meroni, Jr. FAX TEL. #: 847.382.5478

TOTAL NUMBER OF PAGES TRANSMITTED INCLUDING COVER SHEET: 4

Dear Sirs,

We have been informed by Patent Examiner Mark Henderson that the Office can not find a copy of the second Terminal Disclaimer that we filed in this application on October 5, 2004. He requested that we send copies to you, which we are now doing. We also attach a photocopy of the postcard that we received back from the PTO showing that they did in fact receive the 2 Terminal Disclaimers on October 12, 2004.

Please make sure these copies get put in the application file.  
Thank you.

Charles F. Meroni, Jr.  
MERONI & MERONI, P.C.

Original document will \_\_\_\_\_ / will not \_\_\_\_\_ be forwarded.

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IF YOU HAVE ANY PROBLEMS WITH THIS FAX, PLEASE CALL (847) 304-1500 AS SOON AS POSSIBLE. THANK YOU.

Thomas V. Ward, Jr., et al.  
USSN 10/751,075

October 5, 2004  
File #03257

Filed - 1/2/2004

For: REPORT COVER WITH IMPROVED BINDING STRUCTURE AND  
METHOD OF MAKING SAME

We have received: <sup>3/4</sup> Terminal Disclaimer To Oblate A  
Provisional Double Patenting Rejection Over A Pending  
"Reference" Application (1 page); check for \$55.00



PTO/SB/25 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# **TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION**

Docket Number (Optional)  
03257

In re Application of: THOMAS V. WARD, JR., ET AL.

Application No.: 10/751,075

Filed: January 2, 2004

For: REPORT COVER WITH IMPROVED BINDING STRUCTURE AND METHOD OF MAKING SAME

The owner, JEANNE M. WARD, of 50% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number S.N. 10/740,281, filed on December 18, 2003 as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application." In the event that: any such patent: granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 20,109

*Charles F. Meroni, Jr.*

Signature

October 5, 2004

Date

Charles F. Meroni, Jr.

Typed or printed name

847/304-1500

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Application No.: 10/751,075

Filed: January 2, 2004

For: REPORT COVER WITH IMPROVED BINDING STRUCTURE AND METHOD OF MAKING SAME

The owner, THOMAS V. WARD, JR., of 50% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number N. 10/740,281 filed on December 18, 2002. Such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent: granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 20,109

*Charles F. Meroni, Jr.*

Signature

October 4, 2004

Date

Charles F. Meroni, Jr.

Typed or printed name

847/304-1500

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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